

- APPLICATION WILL BE RETURNED TO YOU AND WILL NOT BE ADDED TO NEXT BOARD OF ADJUSTMENT AGENDA AND CHECK WILL NOT BE DEPOSITED UNTIL ALL OF THE FOLLOWING IS SUBMITTED CORRECTLY.
- VARIANCES EXPIRE ONE YEAR AFTER APPROVAL DATE PER SECTION 25-1-217 UNLESS BOARD DEEMS OTHERWISE.

**BOARD OF
ADJUSTMENT
/SIGN
REVIEW
BOARD**

COMPLETENESS CHECKLIST

- C15-2011-0050
- ☒ Application must be typed
 - ☒ Application must be signed and dated by owner and agent
 - ☐ Application must have ALL findings (parking portion only required when parking variance is needed) that are applicable fully filled out at time of submittal
 - ☒ Site plan must be submitted drawn to scale showing present and proposed construction along with existing structures on all adjacent lots
 - ☐ Approval from Austin Energy if request is for a variance to *height* or *setback* limitations

The Austin Electric Utility Department (Austin Energy) enforces electric easements and the setback requirements set forth in the Austin Utility Code, Electric Criteria Manual and National Electric Safety Code. The Board of Adjustment considers variance to the Land Development Code, and a variance granted by the Board of Adjustment does not waive the requirements enforced by Austin Energy. If your request is for a reduction in setbacks or height limits, then you must receive approval from Austin Energy by contacting Robert Long at 322-6522 before filing your application with the Board of Adjustment.

Sign
Review Board
cases must submit
site plans
showing location,
elevations in
addition to above
requirements

- ☒ Tax plats (original size 1"=100') must be submitted showing subject property and property within a 500 foot radius. (Available from the Travis Central Appraisal District, 8314 Cross park Drive, 834-9138). **If property is located in Williamson County, then contact Williamson County Appraisal District for a list of the property owners names and addresses within a 500 foot radius.**
- ☒ Check for application fee: \$360.00 Residential zoning
\$660.00 All other
- ☐ Please consider contacting your Neighborhood Assn. about your request.

Please be advised that the Board only takes 16 new cases a month, therefore, first come, first served. Please be advised that a request for reconsideration must be filed within 7 days from the Board meeting.

A variance from the Building Code Board of Appeals may be required for variances from the Zoning Board of Adjustment (no Sign Review Board cases need to call). Please consult a code specialist in the Plan Review Division at 974-2580.

If you need assistance completing this application (general inquires only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2nd Floor (One Texas Center).

CASE # _____

**CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE**

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.

WARNING: Filing of this appeal stops all affected construction activity.

STREET ADDRESS: 3003 E 18 ½ St

LEGAL DESCRIPTION: Subdivision — LOT 16 BLK 1 OLT 27 DIV B MCKINLEY HEIGHTS NO 4

Lot(s) Block Outlot N/A Division N/A

I/We Terrie Thomas on behalf of myself/ourselves as authorized agent for
_____ affirm that on April, 4
2011,

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

 ERECT ATTACH COMPLETE REMODEL X MAINTAIN

SF3 492(d) 25' front yard setback encroachment

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

We bought the house in the existing condition after meeting with planning review, zoning and permitting staff and understanding the project could be permitted as-is with plan revisions. However, staff reversed their position after the house was purchased and we

were advised to file for a BOA review to maintain the original and existing front setback (which includes the covered front porch and front wall) and the City Approved 2nd story.

The current structure was originally permitted as an addition / remodel in 2009 however the prior owner replaced the front façade in effort to maintain the structural integrity of the house prior to moving forward with the COA approved second floor addition. The house's exterior is approximately 75% complete. Currently, the house sits no closer to the street than it did prior to construction and remains in the same foot print as the original house. In addition the front concrete porch remains in the same footprint @ 21.5' from the front property line.

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that:

We did not construct the project to it's current partially finished state, however, we did meet with planning staff prior to purchasing the project and were advised the permit could be transferred to our name. Unfortunately, staff reversed its position after we purchased the property and attempted to obtain a permit for the site. Thus we are seeking a variance to maintain the original and existing encroachment into the front setback and the second story and move forward with completion of the project.

- (b) The hardship is not general to the area in which the property is located because:

There are no other partially finished projects in the area with similar setback issues. This structure sits closer to the front property line than adjacent properties, prohibiting the application of set back averaging to maintain the existing footprint.

AREA CHARACTER:

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

Allowing the home to maintain its original front setback will not adversely impact adjacent neighbors. To the owner's knowledge there is no objection to allowing the home to maintain its pre-existing footprint. The area character will not be altered by a 2 story structure as there are 2 story houses within site of the property located at 3003 East 18 ½ Street.

PARKING: (Additional criteria for parking variances only.) **N/A**

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Jemie Thomas

Mail Address

2104 Raleigh Ave 78703

Martha C. S. S. S.

4418 Shoalwood Ave 78715

Printed (512) 656-7657
Phone

(512) 694-1151

OWNERS CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Jemie Thomas

Mail Address

4418 Shoalwood Ave
78756

Martha C. S. S. S.

4418 Shoalwood Ave 78715

Printed 4-4-11
Date

4-4-11

GENERAL INFORMATION FOR SUBMITTAL OF A VARIANCE REQUEST TO THE BOARD OF ADJUSTMENT

(The following is intended to provide assistance in explaining the variance process. These suggestions are not intended to be a complete or exhaustive guide in assisting you through this process.)

VARIANCE REQUIREMENTS:

General Requirements:

- A. A variance may be granted if, because of special circumstances of a property, the strict application of the Land Development Code regulations deprives the property owner of privileges that are enjoyed by another person who owns property in the area that has the same zoning designation as the property for which the variance is requested.
- B. A variance to a regulation may not grant special privileges that are inconsistent with the limitations on other properties in the area or in the district in which the property is located.

SUBMITTAL REQUIREMENTS: (Failure to complete the application or to submit all the required materials will result in non-acceptance of the application.)

- (1) A completed application indicating all variances being requested. An application must include proposed findings that will support requested variances. The required findings must address each variance being sought.
- (2) A site plan to scale indicating present and proposed construction and location and use of structures on adjacent lots.
- (3) A tax plat with subject property clearly marked indicating property within a 500-foot radius. These are available from the Travis Central Appraisal District at 8314 Cross Park Drive (834-9138).
- (4) Check made payable to the City of Austin for the Board of Adjustment application fee. (Residential zoning - \$360. All other zonings - \$660.)
- (5) Other Information -- Although the following is not a requirement of submittal you may wish to include additional information that may assist the Board in making an informed decision regarding your request such as: photos of the site or visual aids to support the request, letters from the neighborhood association(s) etc. Any additional information you wish to submit must be in our office one week prior to the meeting. The Board will receive a packet with all information that has been submitted on the Thursday prior to the meeting.
- (6) Austin Energy approval

Variances approved by the Board are limited to and conditioned upon the plans and specifications presented by the applicants, except as modified by the Board.

REQUIRED FINDINGS: All variance findings must be met in order for the Board to grant a variance. An application must include proposed findings that will support the requested variance. Incomplete applications will not be accepted.

Reasonable Use:

Application must demonstrate to the Board how the zoning regulations applicable to the property do not allow for a reasonable use of the property. [Note: The Board cannot approve a variance for a use that is not allowed in the zoning district in which the property is located. This requires a change in zoning.]

Hardship:

- a. Application must demonstrate to the Board how the hardship for which the variance is requested is unique to the property. Hardship should be specific to the property for which the variance is being requested. (For example, topography, lot configuration, or any physical constraint that would limit the placement of the structure or prevent compliance with required site development regulations, etc.) A strictly financial or personal reason is not a valid hardship.
- b. Application must demonstrate to the Board why the hardship is not general to the area in which the property is located. Describe how the hardship relating to the site is different from other properties in the area.

Area Character:

Application must demonstrate to the Board how the variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the zoning regulations of the zoning district in which the property is located.

NOTE: Parking variances require additional findings to be made. The additional findings are listed on the application and must also be completed for submittal of the application.

Board of Adjustment Staff:

Susan Walker, Planner
974-2202

Diana Ramirez, Administrative Specialist, Board Secretary
974-2241

Fax #974-6536



Watershed Protection and Development Review Department
One Texas Center
505 Barton Springs Road, 2nd Floor

Mailing Address:
P. O. Box 1088
Austin, TX 78767-1088

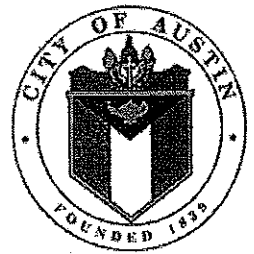


BOARD OF ADJUSTMENTS



-  SUBJECT TRACT
-  ZONING BOUNDARY

CASE#: C15-2011-0050
LOCATION: 3003 E 18TH 1/2 ST
GRID: L23
MANAGER: SUSAN WALKER



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

2005

— 100 —



164-203



- Make for 12 exchange at the state of Arkansas
- First, clear the 8" above the highest flood grade
- Stage of delivery from center line not to exceed 10'
- Grader to build abutment at the city or railroad right-of-way
- Final location of the structure to be determined by the bridge

$$\underline{\underline{345 \times 1 = 345}}$$


DESIGN ORIGINALS of Texas
home design center

- LOT 16 -

IMG_1709.JPG

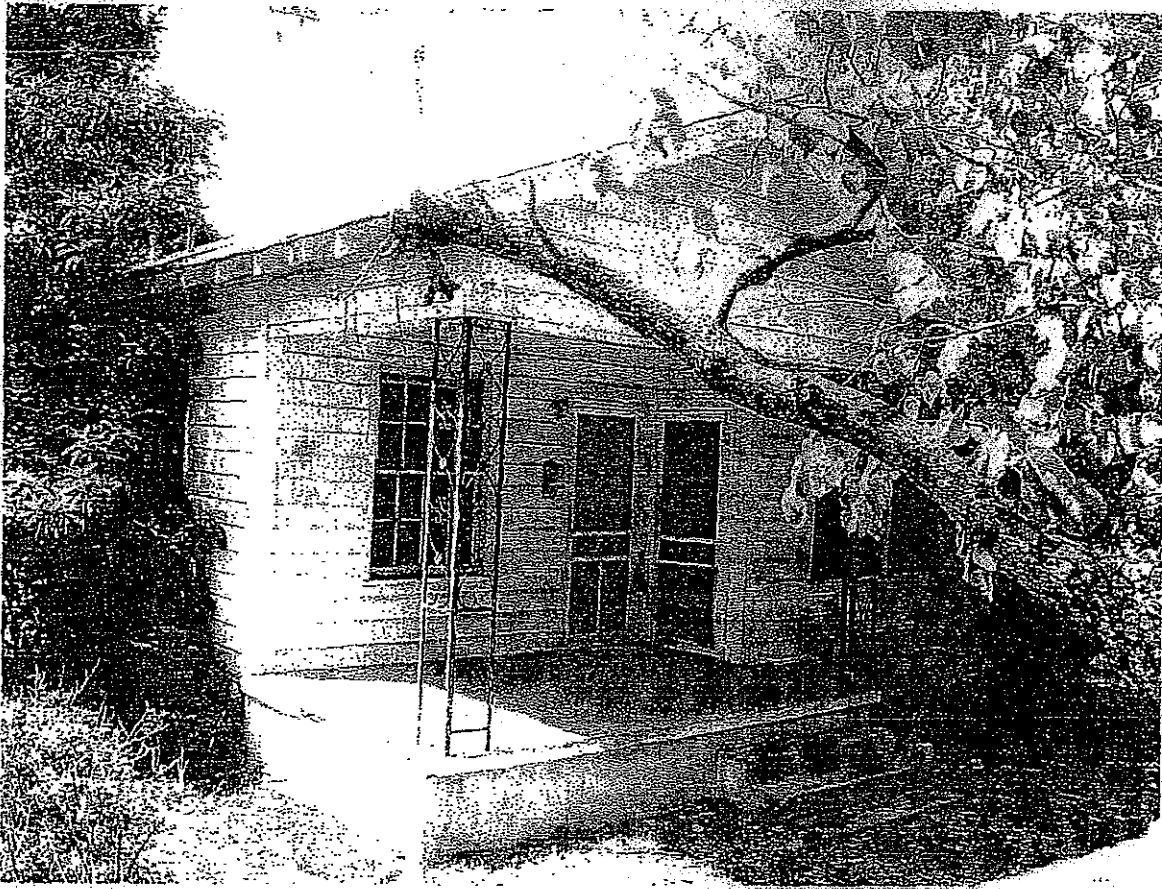


Image 1 of 2 « previous || next »

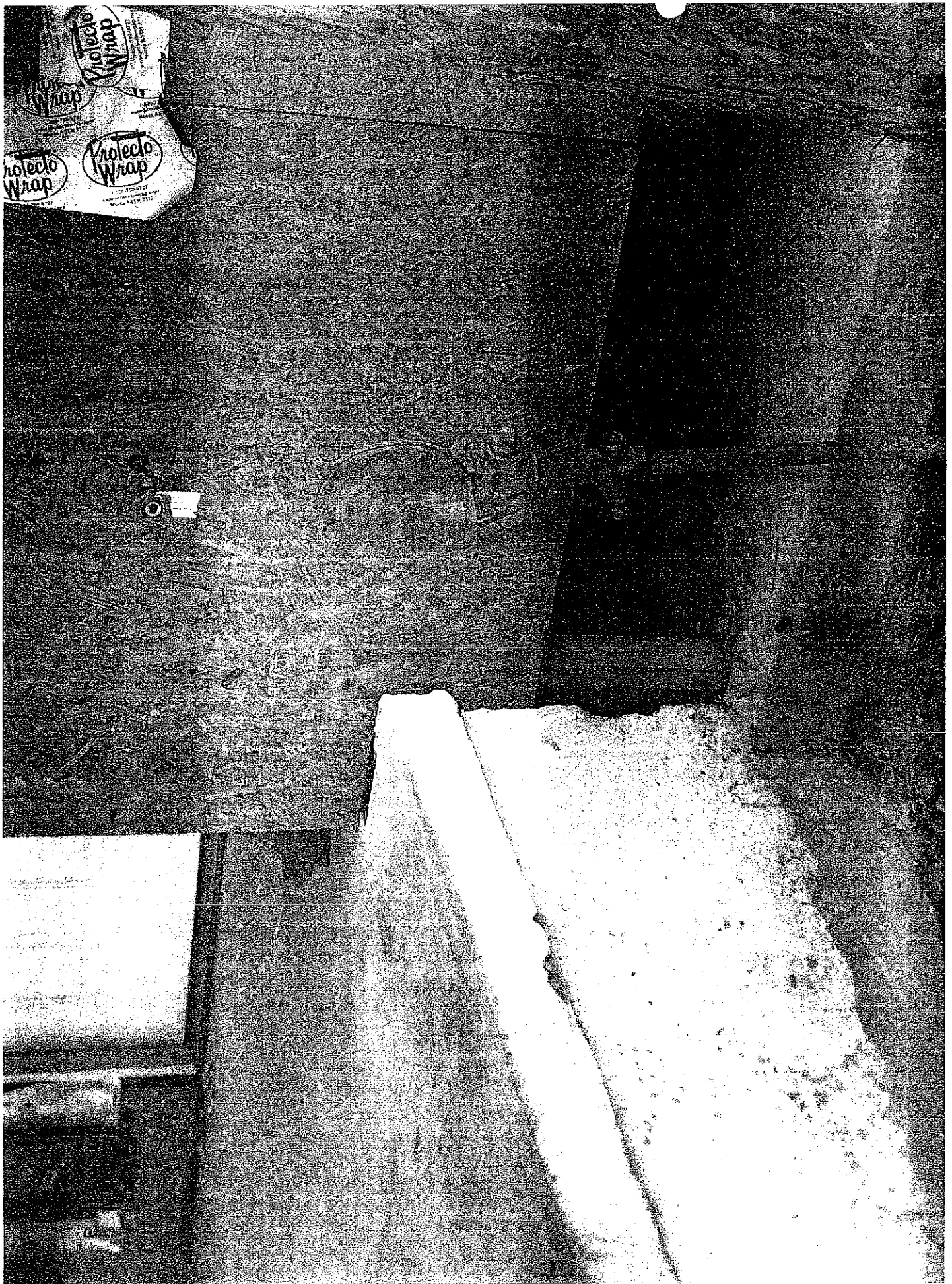
Play Close

ORIGINAL HOUSE
3003 EAST 18 ½ ST.

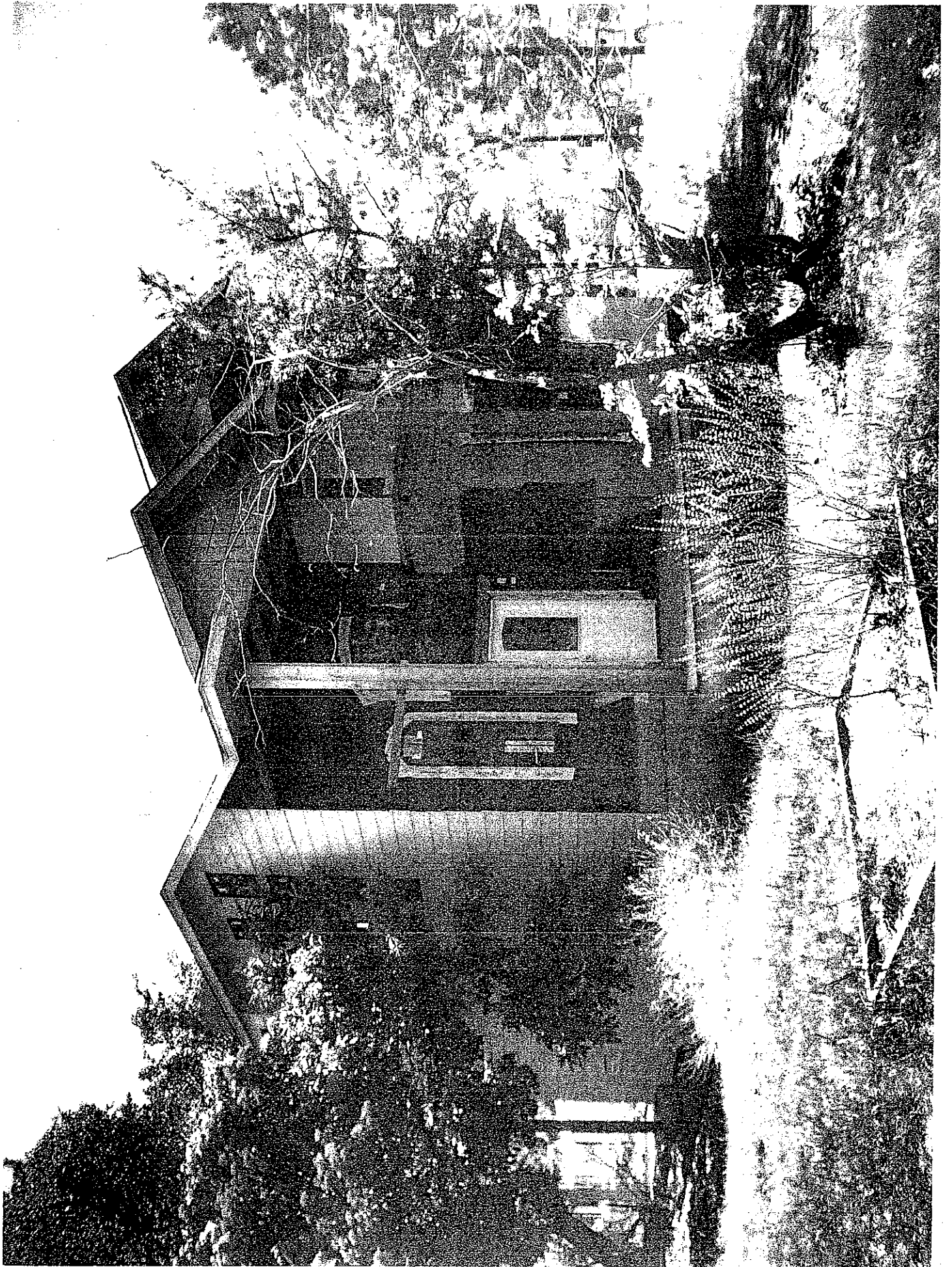
RESONALBLE USE:

The current structure was originally permitted as an addition / remodel in 2009 however the prior owner replaced the front façade in effort to maintain the structural integrity of the house prior to moving forward with the COA approved second floor addition. The house's exterior is approximately 75% complete. Currently, the house sits no closer to the street than it did prior to construction and remains in the same foot print as the original house. In addition the front concrete porch remains in the same footprint @ 21.5' from the front property line.

ORIGINAL
CONCRETE PORCH
3003 EAST 18 ½ ST.



**ORIGINAL
SET BACK
WITH 2ND STORY
ADDITION
3003 EAST 18 ½ ST.**



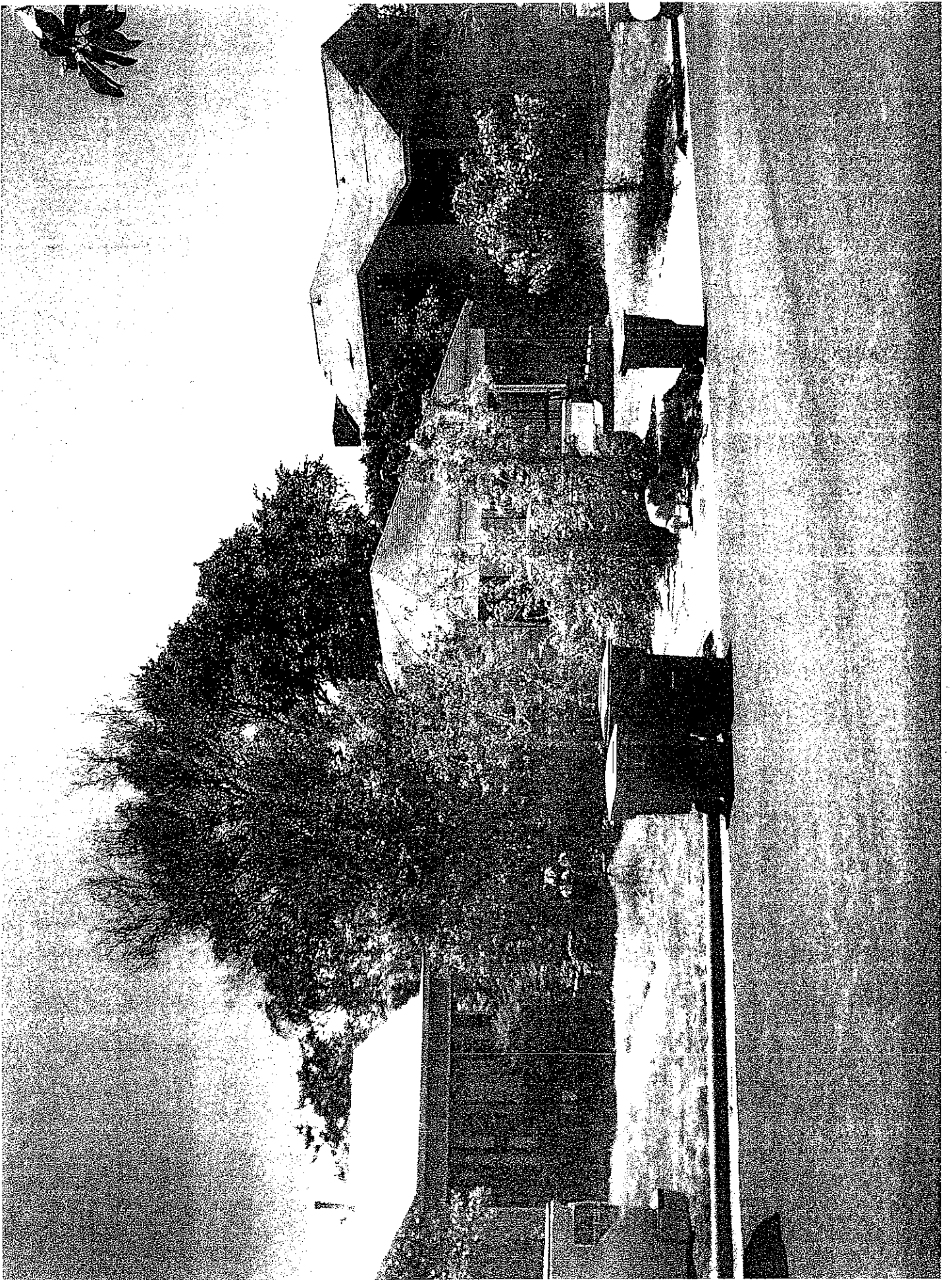
HARDSHIP:

a) The hardship for which the variance is requested is unique to the property in that:

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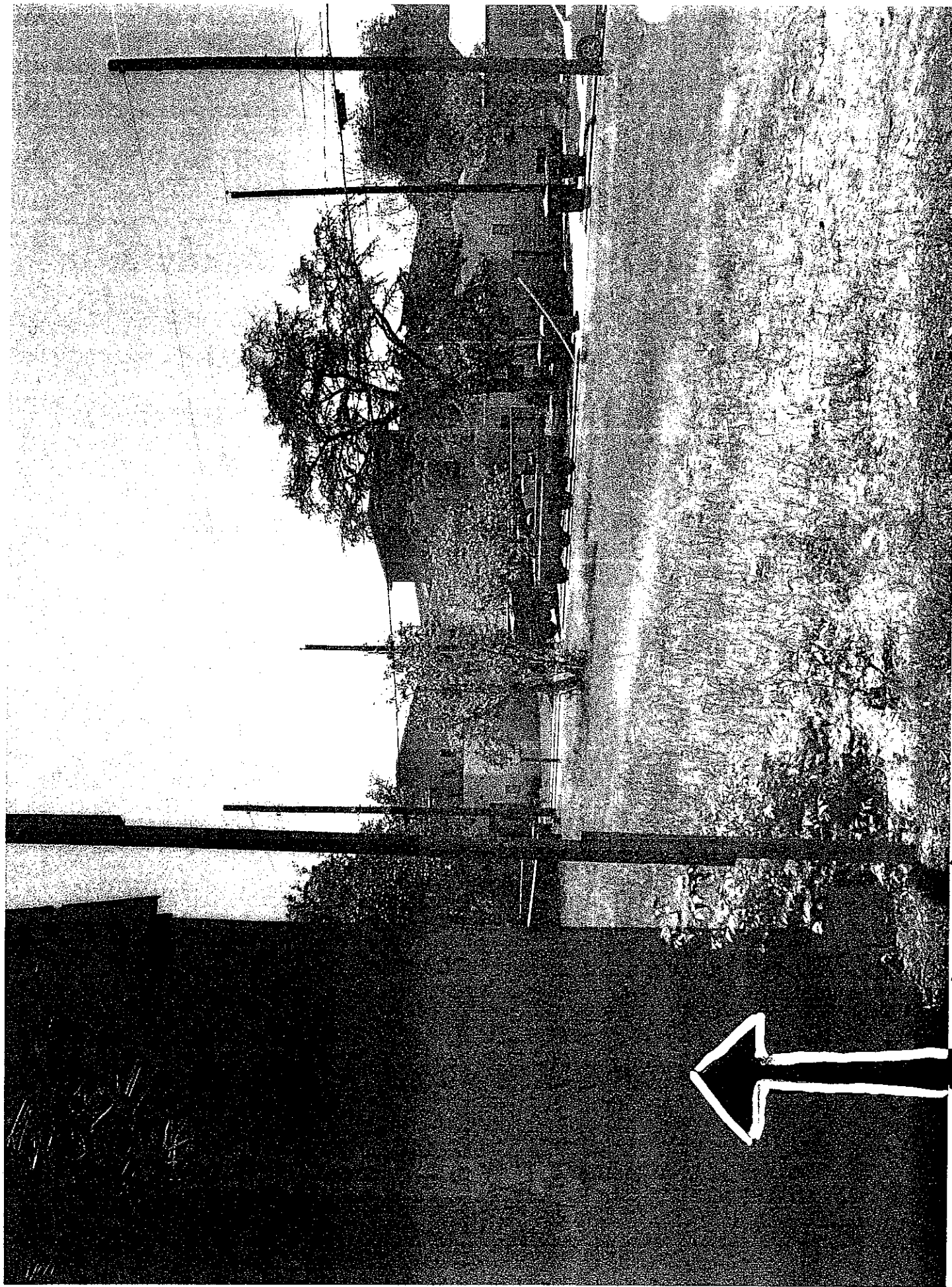
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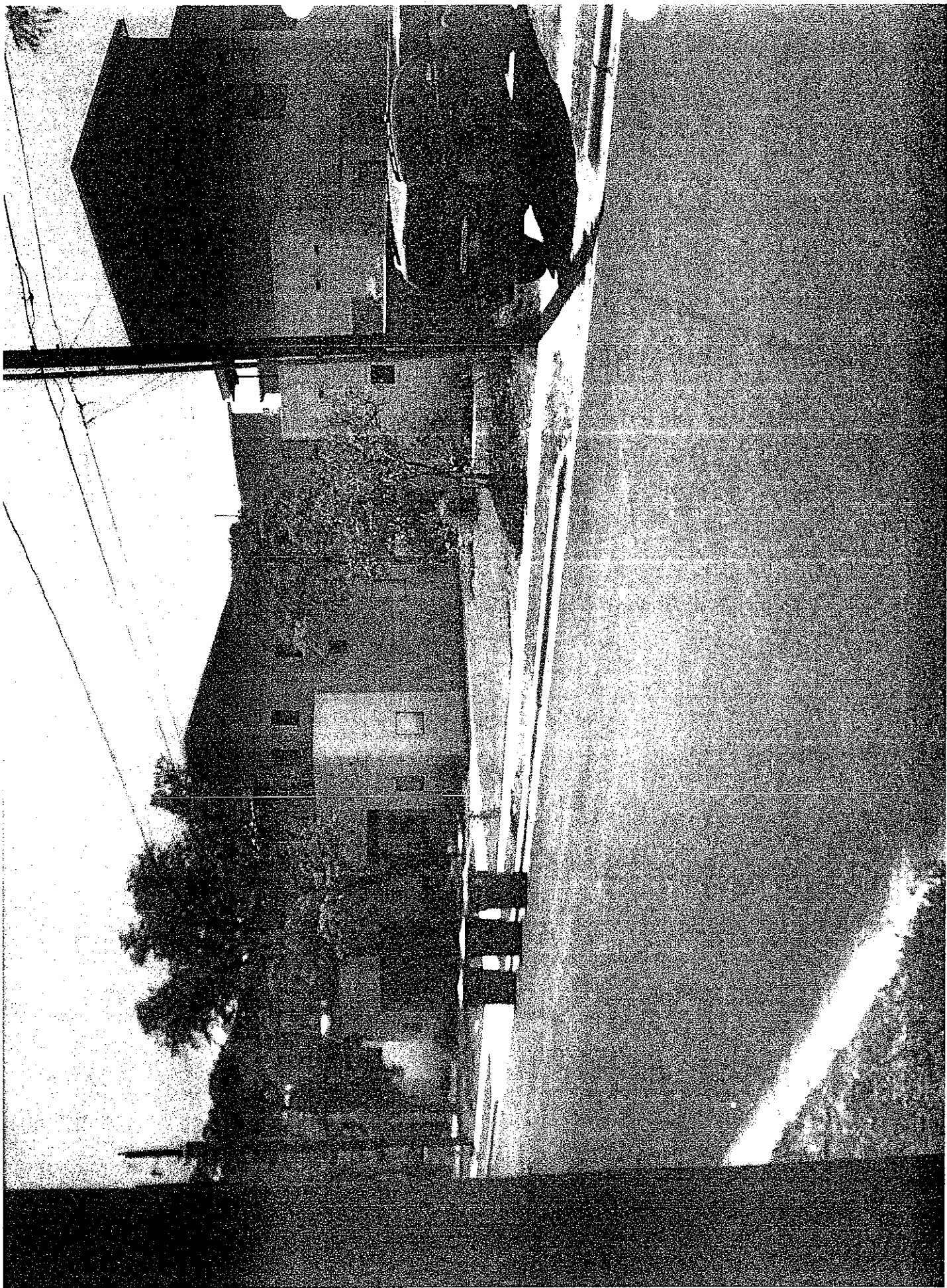
AREA CHARACTER:

The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

Allowing the home to maintain its original front setback will not adversely impact adjacent neighbors. To the owner's knowledge there is no objection to allowing the home to maintain its pre-existing footprint. The area character will not be altered by a 2 story structure as there are 2 story houses within site of the property located at 3003 East 18 ½ Street.



3003 E 12th St



I SUPPORT THE BUILDING AT 303 EAST 18 1/2 STREET TO BE COMPLETED AS IT IS -

EXACTLY WHERE IT STANDS NOW AND AT 2 STORIES HIGH

1806 Harvey St
Austin, TX 78702

zmtz82@yahoo.com
512-801-2819
Zeke

mmtz82@gmail.com
512-507-6595
Mindy

Mindy Martinez
ARMANDO VALLER
1808 HARVEY ST

Elijah Williams Jr
3004 E 18th St.
Austin, Texas

MARY RODRIGUEZ
3009 E 18 1/2 St.

Louise Atkins
1801 Harvey Street
Austin Texas 78702

ADAN UGARTE
3006 E 18th

Ethel Sims
3012 E 18 1/2 Street Austin Texas 78702

Lonnie L. Brown Jr. 3008 E. 18 1/2 St

Morris Brown 3010 E. 18 1/2 St.

Kristoffer Villamin 3007 E 18th St.

Aurita Mcenden

1800 Harvey

Johnny Sharp
3002 E 18th

Phil Hartman
3004 18 1/2 St.
Phil Hartman